

2003 SENATE BILL 241

September 10, 2003 – Introduced by Senators HANSEN, BRESKE, CHVALA, LASSA, MOORE, ROBSON and ROESSLER, cosponsored by Representatives TAYLOR, HEBL, CULLEN, GRONEMUS, GUNDRUM, HUBER, J. LEHMAN, MILLER, PLOUFF, POPE-ROBERTS and YOUNG, by request of Attorney General Peggy A. Lautenschlager. Referred to Committee on Judiciary, Corrections and Privacy.

- 1 **AN ACT** *to amend* 778.027 and 967.057 of the statutes; **relating to:** prosecution
2 decisions based on certain payments to organizations or agencies.

Analysis by the Legislative Reference Bureau

Current law prohibits a prosecutor from dismissing or amending a criminal charge in exchange for a person's payment of a contribution to a crime prevention organization or a law enforcement agency's crime prevention fund. Current law similarly prohibits a prosecutor or any other attorney representing the state or a local government from dismissing or amending a citation or complaint in a civil case in exchange for such a payment if the citation or complaint alleges a violation punishable by a forfeiture. This bill prohibits a prosecutor or any other government attorney from electing not to commence a criminal prosecution or a civil action based on a violation punishable by a forfeiture in exchange for a person's payment of money, other than restitution, to any organization or agency. This bill also extends the scope of the prohibitions in current law regarding dismissing or amending criminal or civil charges so that the prohibitions apply in cases involving payments -- other than restitution -- to any type of organization or agency, not just those involved in crime prevention.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

